0.8.1001 (1)

IN THE HIGH COURT OF JUDICATUERE AT BILASPUR (C.G.)

W.P. NO. 4586 /2005

PETITIONER : Vishnu Sharan Kaushal S/o- Late Shri G.S. Kaushal aged about 56 years, Occupation- Assistant Teacher at Middle School Sankra- Nagri, Block & Tehsil Nagari, and District- Dhamtari (C.G.).

Versus

RESPONDENTS

1. The State of Chhattisgarh
   Through the Secretary,
   Department of Education,
   D.K.S.Bhawan, Raipur (C.G.)
2. The District Education Officer
   Dhamtari,
   District- Dhamtari (C.G.).
3. The Commissioner
   Tribal and Schedule Caste Development, D.K.S.Bhawan, Raipur (C.G.)
4. District – Co-ordinator
   Tribal Welfare Dhamtari, District Dhamtari (C.G.)
5. Chief Executive Officer
   Zila Panchayat, Dhamtari,
   District – Dhamtari (C.G.).
6. Block Education Officer
   Block- Nagari. District- Dhamtari (C.G.).

P.R. No. 4809/05 presented by Shri P.F.S. Khare dated 16/9/05

RECEIVED-COPY 16/09/05 CLERK to A. G. BILASPUR

शपथ आयुक्त बिलासपुर (छ.ग.) बिलासपुर तहसील क्षेत्र

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA.

1. **PARTICULAR OF THE PETITIONER:**

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

W.P. No. 4586/05

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	23.9.2005 Shri F. S. Khare, Advocate for the petitioner. Shri Bhaskar Pyasi, Panel lawyer for the respondents. Heard. The petitioner was appointed as Assistant Teacher in the services of the Education Department. The Education Department vide order dated 13.1.1995 sent the petitioner on deputation to the Tribal Welfare Department. The petitioner is continuing as Assistant Teacher in Tribal Welfare Department. On 27.8.2005 (Annexure P/2) the petitioner was promoted to the post of Head Master and transferred from Middle School Sankra, District- Dhamtari to Primary School Aroud Duban, District- Dhamtari. Thereafter, vide order dated 31.8.2005 (Annexure P/1) the petitioner has been transferred to Primary School, Dugli as Assistant Teacher. Learned counsel for the petitioner submits that there is contradiction in both the orders i.e. the order dated. 27.8.2005 and 31.8.2005. The petitioner has been promoted as Head Master and posted at Sankra vide order dated 27.8.2005 but he is being posted as Assistant Teacher vide order dated 31.8.2005 from Middle School Sankra to Primary School Dugli. The petitioner can be transferred only as Head Master, not as Master because he has already been promoted as Head Master.	

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.No 4586/05 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

Learned counsel for the respondents does not dispute the facts.

In view of the above stated facts, it is necessary that the concerned authority should look in to the grievance of the petitioner and resolve the same by passing appropriate order. It is accordingly directed that the petitioner will make a representation within a period of 10 days from today and the Respondents No. 2 and 3 will decide the representation of the petitioner, in accordance with law, expeditiously, preferably within a period of six weeks from the date of receipt of the same.

In the meantime status quo as obtained today be granted in respect of posting of the petitioner.

In view of the foregoing the petition stands disposed of finally.

Certified copy, as per Rules.

Sd/-
Satish K. Agnihotri
Judge